

# CITY OF CONCORD

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*In the year of our Lord two thousand and twelve*

**AN ORDINANCE** amending the CODE OF ORDINANCES, Title I, General Code; Chapter 6, Recreation, Article 6-1 Rules and Regulations for Parks.

## **The City of Concord ordains as follows:**

**SECTION I:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 6, Recreation; Article 6-1, Rules and Regulations for Parks; Section 6-1-1, Definitions, by amending the definition of Permit; Recreation Director; and Rules and Regulations, as follows:

### 6-1-1 Definitions.

*Permit.* Any written authorization issued by or under the authority of the Parks and Recreation Director permitting specified recreation facility usage.

*Parks and Recreation Director.* The person appointed by the City Manager to fill the duties prescribed for the Parks and Recreation Director by the Administrative Code.

*Rules and Regulations.* Any rule or regulation promulgated by the Parks and Recreation Director under authority herein conferred.

**SECTION II:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 6, Recreation; Article 6-1, Rules and Regulations for Parks; Section 6-1-2, Interpretation of Rules and Regulations, by amending Section (c) Permits, as follows:

### 6-1-2 Interpretation of Rules and Regulations.

(c) *Permits.* Any act prohibited by the rules and regulations of the Parks and Recreation Department, if it is not otherwise prohibited by law or ordinance, shall be lawful in the proper and necessary execution of the terms of any permit issued by the Parks and Recreation Director.

**SECTION III:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 6, Recreation; Article 6-1, Rules and Regulations for Parks; Section 6-1-5, Treatment of Recreation Facility Property, by amending Sections (b), (e) and (f), as follows:

#### 6-1-5 Treatment of Recreation Facility Property.

It shall be a violation of this article for any person in any recreational facility to:

(b) Set a fire in any area except in areas where fires are designated as permitted or except as authorized by permit issued under the authority of the Parks and Recreation Director.

(e) Bring a dog or other domesticated animal into recreation facilities, unless such animal is continuously restrained by a leash not exceeding six (6) feet in length, except that no dog or other such animal shall be permitted in the immediate vicinity of swimming pools, and children's play areas designated by signs as prohibited areas. This ordinance shall not be construed to prohibit such conduct when authorized by permit issued under the authority of the Parks and Recreation Director.

(f) Ride or lead a horse into or upon lawns or other prohibited areas in any recreation facility, or to bring into any recreation facility, except as authorized by permit issued under the authority of the Parks and Recreation Director.

**SECTION IV:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 6, Recreation; Article 6-1, Rules and Regulations for Parks; Section 6-1-6, Traffic Control, by amending Section (a), Recreation Facility Traffic Rules to Supplement Traffic Regulations of City, as follows:

#### 6-1-6 Traffic Control.

(a) *Recreation Facility Traffic Rules to Supplement Traffic Regulations of City.* The traffic regulations adopted by ordinance of the City of Concord shall be in effect in recreation facilities as though set forth herein in full and these traffic rules and regulations are in addition to and supplemental to the traffic regulations adopted by the Parks and Recreation Director.

**SECTION V:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 6, Recreation; Article 6-1, Rules and Regulations for Parks; Section 6-1-7, Regulated Uses, by amending the first sentence of this Section and adding new Sections (f), (g) and (h), as follows:

#### 6-1-7 Regulated Uses.

A permit must be obtained from the Parks and Recreation Director prior to entering any recreational facility to:

(f) Cause or permit any animal, livestock, or poultry to go at large in a recreation facility.

(g) To ride or lead a horse into or upon lawns or other prohibited areas in any recreation facility.

(h) Perform or exhibit professional firework shows. All other local and state firework approvals must be obtained prior to the performance or exhibition of professional firework shows.

**SECTION VI:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 6, Recreation; Article 6-1, Rules and Regulations for Parks; Section 6-1-8, Violation of Permit, by amending this Section as follows:

6-1-8 - Violation of Permit.

Any violation of a law, ordinance, rule, or regulation by the holder or agents of the holder of a permit shall constitute grounds for revocation of the permit by the Parks and Recreation Director. The action of the Parks and Recreation Director shall be final. All monies paid for the permit may, at the option of the Parks and Recreation Director, be forfeited to pay for damages to the recreation facility. The retention of such monies shall not relieve the violator for damages in excess of such sum nor relieve such person from liability to punishment for violation of any law, ordinance, rule, or regulation.

**SECTION VII:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 6, Recreation; Article 6-1, Rules and Regulations for Parks; Section 6-1-9, Recreation Director, by amending the title of this Section, the first sentence of this Section, and amending Sections (b), (c) and (d), as follows:

6-1-9 Parks and Recreation Director.

It shall be the duty of the Parks and Recreation Director to issue regulations:

(b) Designating recreation facilities and parts thereof as restricted to the use of certain portions by the public at certain times as the Parks and Recreation Director sees fit.

(c) Providing for the issuing, under uniform conditions to be prescribed by the Parks and Recreation Director, permits for regulated uses as enumerated in this chapter.

(d) Fixing the charge, and collect such fees and deposits for the use of recreation facilities or privileges as the Parks and Recreation Director deems advisable to help defray the expense of the recreation facilities.

**SECTION VIII:** This ordinance shall take effect upon its passage.

*In City Council  
January 9, 2012  
Passed*